

REMARKS

The non-final Office Action mailed 03/04/2004 has been received and carefully reviewed. Claims 1-20 are pending, and presently stand rejected in the application. Claims 1, 14, 19, and 20 have been amended. Upon entry of this Response, new dependent claims 21-45 have been added. Reconsideration of the application as amended and withdrawal of the present rejections are respectfully requested in view of the amendments to the claims and the following remarks.

Claims 1-5 and 7-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by *Bednarek et al.* Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Bednarek* in further view of *Sugita et al.*

Applicant has amended claims 1, 14, 19, and 20 to include features not disclosed, either expressly or inherently, in *Bednarek*. In particular, claims 1, 14, 19, and 20 have been amended to recite, in various forms, the feature of the tubular support member/means being rotatable about a longitudinal axis of the stabilizing member/means when the stabilizing member/means is deployed outside the tubular support member/means. Support for this additional feature can be found, for example, on page 17, line 23 through page 18, line 6, and as illustrated in Figures 11-13.

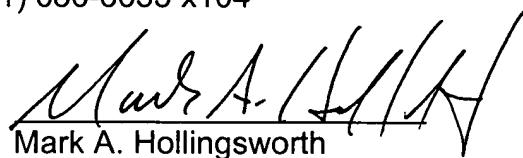
Bednarek fails to teach this additional feature. It appears from a review of several figures and supporting text of *Bednarek* that such a rotational relationship between the rail and slotted sheath of the *Bednarek* device is not possible. Figures 6, 9, and 11-13 of *Bednarek*, and text supporting these and other Figures, clearly evidence the absence of the additional features to Applicant's claims 1, 14, 19, and 20. In view of the amendments made to the claims and the above arguments (and previously made arguments), Applicant respectfully asserts that claims 1-5 and 7-20 are not anticipated by *Bednarek*.

Moreover, the combination of *Bednarek* and *Sugita* fails to teach or suggest the subject matter of applicant's claim 6, which depends from amended claim 1. The missing elements of *Bednarek* are not found in *Sugita*, nor is motivation to combine the asserted reference teachings in the manner suggested by the Examiner found in the references themselves. Clearly, claim 6 is not rendered obvious by the combination of *Bednarek* and *Sugita*.

It is believed that the pending and new claims are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicant's Representatives, at the below-listed telephone number, if there are any questions regarding the above new claims or if prosecution of this application may be assisted thereby.

Respectfully submitted,
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